Case 3 73-cv-00127-MMD-CSD Document 11 Filed 02/28/07 Page 1 of 40

1	Attomey:	
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8		marsha A. thene
9.		(Signature)
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11		MARSHA A. THIEME
12		(Printed or typed Name)
13		
14		
15		(Entity, if any, on whose behalf you are appearing)
16		benan you are appearing)
17		
18		(Address)
19		(Telephone number)
2:0		
21		
- 41		

Case 3:73-cv-00127-MMD-CSD Document 11 Filed 02/28/07 Page 2 of 40

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
- 2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.
- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
- 4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.
- 5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: 9/206

Signature

MICHAEL D. THIEME

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are acting as:

(Title)

(Corporate, Trust, Partnership or other entity)

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

COP4

Case 3:73-cv-00127-MMD-CSD Document 11 Filed 02/28/07 Page 3 of 40

1		·
2	IN THE UNITED STATES DI FOR THE DISTRICT O	ISTRICT COURT F NEVADA
3	UNITED STATES OF AMERICA.	
4	Plaintiff,	
5	WALKER RIVER PAIUTE TRIBE,	IN EQUITY NO. C-125
6	Plaintiff-Intervenor,	SUBFILE NO. C-125-B
7)
8	vs.	
9	WALKER RIVER IRRIGATION DISTRICT, a corporation, et al.,	
10	NOTICE OF APPEARANCE AND INT	ENT TO PARTICIPATE
11	1. I hereby enter my appearance in this sub	-proceeding in this case.
12	2. I am filing this document with the Distri	ct Court at the following address:
13	Chief Deputy Clerk	
14	United States District Court for the District of Nevada	
15	400 South Virginia Street, Suite 301 Reno, Nevada 89501	
16	3. In the envelope provided for return of m	y Waiver of Service of Notice in Lieu o
17	Summons, I am mailing a copy of this document to:	
18	Susan L. Schneider	
19	Attorney for the United States of Americ United States Department of Justice	ca
20	Environment & Natural Resources Divis	sion
21	P.O. Box 756 Littleton, Colorado 80160	
22	4. I (or the entity on whose behalf I am acti	ng) will retain all defenses or objections
23	to the lawsuit or to the jurisdiction or venue of the cour	t except for objections based on a defect
24	in the Notice in Lieu of Summons or in the service of th	e Notice in Lieu of Summons.
25	5. If I (or the entity on whose behalf I am actin	ng) have retained an attorney to represent
26	me in these proceedings. I identify that attorney below	, along with his or her mailing address,
27	telephone number, and facsimile number:	
28 I		

Case 3:73-cv-00127-MMD-CSD Document 11 Filed 02/28/07 Page 4 of 40 Attorney: Address: Phone Number: Fax Number: (Signature) MICHAEL D. THIEME (Printed or typed Name) (Entity, if any, on whose behalf you are appearing) (Address)

(Telephone mumber)

Case 3:73-cv-00127-MMD-CSD Document 11 Filed 02/28/07 Page 5 of 40

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
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- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
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- 5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: 9-11-0 C

Signature

Chine (Ess. Thomas

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are acting as:

(Title)

(Corporate, Trust, Partnership or other entity)

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service the Notice in Lieu of Summons or to the service of the Notice in u of Summons, and may later object to the jurisdiction of the court or to the place where the action has been brought.

Case 3:73-cv-00127-MMD-CSD Document 11 Filed 02/28/07 Page 6 of 40

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

- TO: Susan L. Schneider, attorney for the United States of America
- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
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- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
- 4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.
- 5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: 9-11-06

Signature

Janet A Thomas

Printed/Typed Name
If you are acting on behalf of any entity, identify that you are acting as:

(Corporate, Trust, Partnership or other entity)

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

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Case 3:73-cv-00127-MMD-CSD Document 11 Filed 02/28/07 Page 7 of 40

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
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- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
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	5. I (o	or the ent	ity on	whose l	behalf	I am	acting)	will re	etain al	l defei	ises or	objection	ons to 1	the la	wsuit
or to t	he jurisc	diction o	r venue	e of the	Court	exce	pt for c	bjectio	ns bas	ed on	a defec	ct in the	Notice	in L	ieu of
Summ	ions or i	n the se	rvice of	f the No	otice in	Lieu	df Sui	mmons	i. //	1					

Date: 12/31/00

ignature Thompson

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are

acting as: _____(Title)

(Corporate, Trust, Partnership or other entity)

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

An entity in this case who waives service must, within 60 days, as specified on the waiver form, provide the court and DOJ attorney S. Schneider with a notice of appearance and intent to participate.

Exhibit 161

Case 3:73-cv-00127-MMD-CSD Document 11 Filed 02/28/07 Page 8 of 40

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

- TO: Susan L. Schneider, attorney for the United States of America
- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
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- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
- 4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.
- 5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: 9/17/06

Signature

Jeanne Thompson

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are acting as:

(Title)

(Corporate, Trust, Partnership or other entity)

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

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Case 3:73-cv-00127-MMD-CSD Document 11 Filed 02/28/07 Page 9 of 40

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
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- 5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: 9/17/06	Lawrence D. Thompson Lawrence D. Thompson	
	Printed/Typed Name	
	If you are acting on behalf of any entity, identify that	you are
	acting as:	of
	(Title)	
	(Corporate, Trust, Partnership or other entity)	

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

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See EXHIBIT 161.

Case 3:73-cv-00127-MMD-CSD Document 11 Filed 02/28/07 Page 11 of 40

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
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Date: 10/3 06

Signature

Frinted/Typed Name

If you are acting on behalf of any entity, identify that you are acting as:

(Corporate, Trust, Partnership or other entity)

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Case 3:73-cv-00127-MMD-CSD Document 11 Filed 02/28/07 Page 12 of 40

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
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	5. I (or the er	itity on whose be	half I am acti	ng) will retain	all defenses	or objections	to the la	awsuit
or to t	he jurisdiction	or venue of the C	Court except f	or objections b	oased on a de	efect in the No	tice in l	Lieu of
Sumn	ons or in the se	ervice of the Noti	ice in Lieu of	Summons.	_		•	

Date: 10-3-2006

Signature

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are acting as:

(Title)

(Corporate, Trust, Partnership or other entity)

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

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1 IN THE UNITED STATES DISTRICT COURT 2 FOR THE DISTRICT OF NEVADA 3 UNITED STATES OF AMERICA. 4 Plaintiff, 5 WALKER RIVER PAIUTE TRIBE. IN EQUITY NO. C-125 6 Plaintiff-Intervenor, SUBFILE NO. C-125-B 7 V5. 8 WALKER RIVER IRRIGATION DISTRICT, a corporation, et al., NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE 10 11 1. I hereby enter my appearance in this sub-proceeding in this case. 12 2. I am filing this document with the District Court at the following address: 13 Chief Deputy Clerk United States District Court for the 14 District of Nevada 400 South Virginia Street, Suite 301 15 Reno, Nevada 89501 16 3. In the envelope provided for return of my Waiver of Service of Notice in Lieu of 17 Summons, I am mailing a copy of this document to: 18 Susan L. Schneider 19 Attorney for the United States of America United States Department of Justice 20 Environment & Natural Resources Division P.O. Box 756 Littleton, Colorado 80160 21 4 I (or the entity on whose behalf I am acting) will retain all defenses or objections 22 to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect 23 24 in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons. 5. If I (or the entity on whose behalf I am acting) have retained an attorney to represent 25 me in these proceedings, I identify that attorney below, along with his or her mailing address, 26 telephone number, and facsimile number: 27 28

Case 3: 3-cv-00127-MMD-CSD Document 11 Filed 02/28/07 Page 14 of 40

	<u> </u> -		•	•	
1		Attorney:			
2					
3		Address:			
4		•			
5				•	
6		Phone Number:	·		
7		Fax Number:			
8		•	-	Jean C. Tola	 -
9				(Signature)	
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11				Jean E, Tola (Printed or typed Name)	
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14				(Entity, if any, on whose	
15				behalf you are appearing)	
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17				(Address)	
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19 20			ı	(Telephone number)	
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Filed 02/28/07 Page 15 of 40

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Susan L. Schneider, Attorney, U.S. Department of Justice P. O. Box 756 Littleton, CO 80160-0756

Susan L. Schneider, Attorney U.S. Department of Justice P.O. Box 756 Littleton, CO 80160-0756

Case 3:73-cv-00127-MMD-CSD Document 11 Filed 02/28/07 Page 16 of 40

1 IN THE UNITED STATES DISTRICT COURT 2 FOR THE DISTRICT OF NEVADA 3 UNITED STATES OF AMERICA. 4 Plaintiff. 5 WALKER RIVER PAIUTE TRIBE, IN EQUITY NO. C-125 6 Plaintiff-Intervenor, SUBFILE NO. C-125-B 7 VS. 8 WALKER RIVER IRRIGATION DISTRICT, a corporation, et al., NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE 10 11 I hereby enter my appearance in this sub-proceeding in this case. 1. 12 2. I am filing this document with the District Court at the following address: 13 Chief Deputy Clerk United States District Court for the 14 District of Nevada 400 South Virginia Street, Suite 301 15 Reno, Nevada 89501 16 3. In the envelope provided for return of my Waiver of Service of Notice in Lieu of 17 Summons, I am mailing a copy of this document to: 18 Susan L. Schneider 19 Attorney for the United States of America United States Department of Justice 20 Environment & Natural Resources Division P.O. Box 756 Littleton, Colorado 80160 21 4. 22 I (or the entity on whose behalf I am acting) will retain all defenses or objections 23 to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons. 24 5. If I (or the entity on whose behalf I am acting) have retained an attorney to represent 25 me in these proceedings. I identify that attorney below, along with his or her mailing address, 26 telephone number, and facsimile number: 27 28

NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, page 1 of 2

Exhibit 168

Case 3:78-cv-00127-MMD-CSD Document 11 Filed 02/28/07 Page 17 of 40

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Case 3:73-cv-00127-MMD-CSD Document of the control of the control



Susan L. Schneider, Attorney U.S. Department of Justice P. O. Bex 756 Littleron, CO 801(6)-0756

Susan L. Schneider, Attorney U.S. Department of Justice P.O. Box 756 Littleton, CO 80160-0756

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Case 3:73-cv-00127-MMD-CSD Document 11 Filed 02/28/07 Page 19 of 40

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
- 2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.
- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
- 4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.

5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit
or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of
Summons or in the service of the Notice in Lieu of Summons.

Date: $\frac{10}{23/06}$

ignature,

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are

acting as: _____(Title)

(Corporate, Trust, Partnership or other entity)

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons or to the service of the Notice in 1 of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

Case 3:73-cv-00127-MMD-CSD Document 11 Filed 02/28/07 Page 20 of 40

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

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/ /	08 Wals	
Date: 1/2/07	Signature A.S. Watter, Trustee of Watter diving	Trust
	Printed/Typed Name	
	If you are acting on behalf of any entity, identify that you	are
	acting as:	of
	(Title)	
	(Corporate, Trust, Partnership or other entity)	

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

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Case 3:73-cv-00127-MMD-CSD Document 11 Filed 02/28/07 Page 21 of 40

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

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Signature

M. Watter, Trustee, of Watter Living Trust

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are acting as:

Of (Title)

(Corporate, Trust, Partnership or other entity)

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

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Case 3:73-cv-00127-MMD-CSD Document 11 Filed 02/28/07 Page 22 of 40

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

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	Dawna L. Warr	
Date: 9-14-06	Signature	
	Dawna L. Warr	
	Printed/Typed Name	
	If you are acting on behalf of any entity, identify that you	u arc
	acting as:	_ of
	(Title)	
	(Corporate, Trust, Partnership or other entity)	

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Case 3:73-cv-00127-MMD-CSD Document 11 Filed

A.P.N. # 010-642-05

R.P.T.T. \$ ESCROW NO. 060701125 RECORDING REQUESTED BY: STEWART TITLE COMPANY MAIL TAX STATEMENTS TO: Same as below

WHEN RECORDED MAIL TO: Grantee 1354 Eldorado #E Gardnerville, NV 89410

Requested By STEWART TITLE DOUGLAS

Lyon County - NV Mary C. Milligan - Recorder Fee: \$15.00 of 2

RPTT: \$351.00

(Space Above for Recorder's Use Only)

GRANT, BARGAIN, SALE DEED

THIS INDENTURE WITNESSETH: That Vince Weaver and Dayleen Weaver, husband and wife

in consideration of \$10.00, the receipt of which is hereby acknowledged, does hereby Grant, Bargain Sell and Convey to Oscar N. Reese, Trustee of the Oscar N. Reese Family Trust Agreement dated November 17, 2004

and to the heirs and assigns of such Grantee forever, all that real property situated in the County of Lyon State of Nevada, bounded and described as:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and any reversions, remainders, rents, issues or profits thereof.

DATE: July 26, 2006

Weaver

thaci e.adams **NOTARY PUBLIC** STATE OF NEVADA ppt. Recorded in Douglas County My Appt. Expires January 5, 2007 No: 89-1891-5

} ss.

Signature

COUNTY OF

This instrument was acknowledged before me on by, Vince Weaver and Dayleen W

Notary Public (One inch margin on all sides of document for Recorder's Use Only)

Case 3:73-cv-00127-MMD-CSD Document 11 Filed 02/28/07 Page 24 of 40

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

- TO: Susan L. Schneider, attorney for the United States of America
- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
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1 IN THE UNITED STATES DISTRICT COURT 2 FOR THE DISTRICT OF NEVADA 3 UNITED STATES OF AMERICA. 4 Plaintiff. 5 WALKER RIVER PAIUTE TRIBE, IN EQUITY NO. C-125 6 Plaintiff-Intervenor. SUBFILE NO. C-125-B 7 vs. 8 WALKER RIVER IRRIGATION DISTRICT. a corporation, et al., NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE 10 11 1. I hereby enter my appearance in this sub-proceeding in this case. 12 2. I am filing this document with the District Court at the following address: 13 Chief Deputy Clerk United States District Court for the 14 District of Nevada 400 South Virginia Street, Suite 301 15 Reno, Nevada 89501 16 3. In the envelope provided for return of my Waiver of Service of Notice in Lieu of 17 Summons, I am mailing a copy of this document to: 13 Susan L. Schneider Attorney for the United States of America 19 United States Department of Justice Environment & Natural Resources Division 20 P.O. Box 756 Littleton, Colorado 80160 21 I (or the entity on whose behalf I am acting) will retain all defenses or objections 22 to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect 23 in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons. 24 5. If I (or the entity on whose behalf I am acting) have retained an attorney to represent 25 me in these proceedings. I identify that attorney below, along with his or her mailing address, telephone number, and facsimile number: 27 28

NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, page 1 of 2

Case 3:73-cv-00127-MMD-CSD Document 11 Filed 02/28/07 Page 26 of 40

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6	Phone Number:	
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9		(Signature)
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11		Agnes m Wenze
12		(Printed or typed Name)
13		
14		(F. 11) - 15
15		(Entity, if any, on whose behalf you are appearing)
16		31 Bonanza
17		Yerington Nu 894411
18		(Address) 715-463'4133
19		(Telephone number)
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Case 3:73-cv-00127-MMD-CSD Document 11 Filed 02/28/07 Page 28 of 40

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

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Date: 12-31-2006

Signature

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are

acting as: IrusI

_____ of

(Corporate, Trust, Partnership or other entity)

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-RAM Document 1067 Filed 01/09/200 ID-CSD Document 11 Filed 02 ge 29 of 40 FILED FNTERED COUNSEL/PARTIES OF RECORD SERVED ON 1 IN THE UNITED STATES DISTRICT COURT 2 FOR THE DISTRICT OF NEVADA 3 UNITED STATES OF AMERICA. DISTRICT OF NEVADA 4 RK Plaintiff. DEPUTY 5 WALKER RIVER PAIUTE TRIBE. IN EQUITY NO. C-125 6 Plaintiff-Intervenor, SUBFILE NO. C-125-B 7 VS. 8 WALKER RIVER IRRIGATION DISTRICT, 9 a corporation, et al., NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE 10 11 1. I hereby enter my appearance in this sub-proceeding in this case. 12 2. I am filing this document with the District Court at the following address: 13 Chief Deputy Clerk 14 United States District Court for the District of Nevada 400 South Virginia Street, Suite 301 15 Reno, Nevada 89501 15 3. In the envelope provided for return of my Waiver of Service of Notice in Lieu of 17 Summons. I am mailing a copy of this document to: 13 Susan L. Schneider 19 Attorney for the United States of America United States Department of Justice 20 Environment & Natural Resources Division P.O. Box 756 Littleton, Colorado 80160 21 I (or the entity on whose behalf I am acting) will retain all defenses or objections 22 to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect 23 in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons. 24 25 5 If I (or the entity on whose behalf I am acting) have retained an attorney to represent me in these proceedings. I identify that attorney below, along with his or her mailing address, 26 27 telephone number, and facsimile number: 28 NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, page 1 of 2

Case 3:7 8-cv-00127-ECR-RAM C Document 1067 Filed 01/09/2005/28/07 Page 30 of 40

1	Attomey:	
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3	Address:	
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5		
6	Phone Number:	
7	Fax Number:	
8	Dennis R. Whipple	
9.	(Signature)	
10	D 1 D 1 1 1	
11	Dennis R. Whipple	
12	(Printed or typed Name) Trustee	
13	\cdot	Ł
14	Whipple Family 2001 Trus (Entity, if any, on whose	-
15	behalf you are appearing)	
16	70 Pinon Drive	
17	Wellington, NV 39444 (Address)	
18	775 465-9/38	
19 20	(Telephone number)	
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Case 3:73-cv-00127-MMD-CSD Document 11 Filed 02/28/07 Page 31 of 40

1				
2	IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEVADA			
3	UNITED STATES OF AMERICA,			
4	Plaintiff,			
5	WALKER RIVER PAIUTE TRIBE,)	IN EQUITY NO. C-125		
6	Plaintiff-Intervenor,)	SUBFILE NO. C-125-B		
7) vs.)			
8 9	WALKER RIVER IRRIGATION DISTRICT,) a corporation, et al.,)			
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12	2. I am filing this document with the Distric	et Court at the following address:		
13	Chief Deputy Clerk			
14	United States District Court for the District of Nevada			
15	400 South Virginia Street, Suite 301 Reno, Nevada 89501			
16	3. In the envelope provided for return of my	y Waiver of Service of Notice in Lieu of		
17	Summons, I am mailing a copy of this document to:			
18	Susan L. Schneider			
19	Attorney for the United States of America United States Department of Justice			
20	Environment & Natural Resources Divisi P.O. Box 756	on		
21	Littleton, Colorado 80160			
22	4. I (or the entity on whose behalf I am acting) will retain all defenses or objections			
23	to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect			
24	in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.			
25	5. If I (or the entity on whose behalf I am actin	g) have retained an attorney to represent		
26	me in these proceedings. I identify that attorney below, along with his or her mailing address,			
27	telephone number, and facsimile number:			
28				
	NOTICE OF APPEARANCE AND INTENT TO PARTIC	TIPATE, page 1 of 2		

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	li e	
1	Attorney:	
2		
3	Address:	
4		
5		
6	Phone Number:	
7	Fax Number:	· My College
8	·	Jary Willmans
9		(Signature)
10		1 (1)
11		MARY L WILLIAMS
12		(Printed or typed Name)
13		
14	·	
15		(Entity, if any, on whose behalf you are appearing)
16		248 Under Colony
17		WELLINGTON NEW
18		(Address) 775-721-6899
19		(Telephone number)
20		
21		
22		
23		
24		
25		
26		

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	i)	· · · · · · · · · · · · · · · · · · ·	
· 1	Attorney:		
2		·	
3	Address:		
4			
5			
6	Phone Numbe	er:	
. 7	Fax Number:		Howle & (1) Minus
8		·	Stryly EU Many
9			(Signature)
.10			
11			Stanley E. Williams
12			(Printed or typed Name)
13			
14			
15			(Entity, if any, on whose behalf you are appearing)
16			ochan you are appearing)
17			
18			(Address) 775-721-6889
19	·		(Telephone number)
20			
21			
22			
23			
24			
25			
26.			
27			

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WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

Susan L. Schneider, attorney for the United States of America TO:

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of United States v. Walker River Irrigation District, which is docket number In Equity C-125. Subfile C-125-B, in the United States District Court for the District of Nevada.
- 2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER - DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.
- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
- 4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.
- 5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction of venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: 8-31-06

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are

acting as: Thustee

(Title)

(Corporate, Trust, Partnership or other entity)

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

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WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
- 2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.
- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
- 4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.
- 5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: 10/07/06

Signature

Signature

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are acting as:

(Title)

(Corporate, Trust, Partnership or other entity)

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in a of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

1 2 IN THE UNITED STATES DISTRICT COURT 3 FOR THE DISTRICT OF NEVADA 4 UNITED STATES OF AMERICA, ,5 In Equity No. C-125-ECR Plaintiff.) 6 Subfile No. C-125-B 7 WALKER RIVER PAIUTE TRIBE, DISCLAIMER OF INTEREST IN 8. WATER RIGHTS AND NOTICE OF Plaintiff-Intervenor,) RELATED INFORMATION AND 9 DOCUMENTATION SUPPORTING DISCLAIMER 10 WALKER RIVER IRRIGATION 11 DISTRICT. a corporation, et al., 12 Defendants. 13 14 15 The undersigned counter-defendant in the above action hereby notifies the Court and the 16 United States that the undersigned (or the entity on whose behalf the undersigned is acting) has 17 no interest in any water right within the categories set forth in Paragraph 3 of the Case 18 Management Order (Apr. 18, 2000) and, therefore, disclaims all interest in this action. 19 This disclaimer and notice shall be sent to the following two persons: 20 Linda Lea Sharer, Chief Deputy Clerk 21 United States District Court for the District of Nevada 400 South Virginia Street, Suite 301 22 Reno, NV 89501 23 And 24 Susan L. Schneider 25 United States Department of Justice P.O. Box 756 26 Littleton, CO 80160 27 In addition, because the undersigned sold or otherwise conveyed ownership of all of the 28

DISCLAIMER OF WATER RIGHTS AND NOTICE OF RELATED INFORMATION, page 1 of 4

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-	
1	water rights that the undersigned (or the entity on whose behalf the undersigned is acting) once
2	owned before the undersigned was served with a Waiver of Service of Notice in Lieu of
3	Summons or by a Notice in Lieu of Summons, the undersigned provides the following
4	additional information:
5	The name and address of the party or parties who sold or otherwise conveyed
6	ownership:
7	Name(s): JUDITH LEE WOOD
8	
9	Street or P.O. Box: 1564 QUIET CREEK
10	
11	Town or City: BEAUMONT
12	Town of Chy. Devices
13	State: CALIFORNIA
14	State. Capero in
15	Zip Code: タスコンろ
16	2. The name and address of each person or entity who acquired ownership
17	2. The haire and address of each person of chary who acquired ownership
18	Name(s): THOMAS TENBROOK
19	
20	$\Omega \Omega R_{\alpha} L = 0$
22	Street or P.O. Box: P.O. BOX 209 40 KARI LANE
23	40 KITIU UTNE
24	Town or City: Syn 1774
25	
26	State: NEVADA
27	
20	Zip Code: 89430

DISCLAIMER OF WATER RIGHTS AND NOTICE OF RELATED INFORMATION, page 2 of 4

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2				
3	3. Attached to or included with this notice is a copy of the (check appropriate			
, 4	box(es)):			
5				
6	☐ Deed			
7	☐ Court Order			
8	Other Document.			
ġ				
10	by which the change in ownership was accomplished.			
11	4. The undersigned acknowledges that any person or entity who files a Disclaimer			
12	of Interest in this matter is ultimately responsible for the accuracy of this filing. Consequently			
13	the undersigned acknowledges that any person or entity who files a Disclaimer of Interest, but			
14	in fact, has water rights subject to this litigation, shall nevertheless be bound by the results of			
15	this litigation.			
16				
	Executed this 7th day of October 2006.			
<u>.</u> 6				
19				
20				
21	Fulith Lee Work			
22	[xignature of counter-defendant]			
23				
24				
25	JUDITH LEE WOOD			
26	[name of counter-defendant]			
27				
• •				

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[name, if applicable, of person acting on behalf of counter-defendant]

[signature, if applicable, of person acting on behalf of Counter-Defendant]

[address]

[telephone number]